liquor pituitarii posterii, a drug recognized in the United States Pharmacopoeia, which provides that 1 cubic centimeter of solution of posterior pituitary shall produce an activity upon the isolated uterus of a virgin guinea pig corresponding to not less than 80 percent of that produced by 0.005 gram of the standard powdered posterior pituitary.

The information also charged the shipment in interstate commerce in violation of the Food and Drugs Act of 1906 of a quantity of Ovestrin in Oil which was adulterated and misbranded, as reported in N. J. No. 31136 published under that act.

On May 6, 1941, pleas of nolo contendere having been entered on behalf of the defendants, the court imposed a fine of $400 on the corporation and $400 on George Blank. (Both defendants were fined $100 on the counts charging violation of the Food and Drugs Act, but imposition of the sentence was suspended with respect to George Blank on these counts and he was placed on probation for a period of 2 years.)

462. Adulteration and misbranding of ammoniated mercury ointment, phenobarbital and atropine sulfate tablets, and Vitaphosphates. U. S. v. Physicians Drug & Supply Co. Plea of nolo contendere. Fine, $500. (F. D. C. No. 2843. Sample Nos. 14174-E, 14476-E, 14477-E, 14492-E.)

The ammoniated mercury ointment contained a smaller proportion of mercury than that required by the standard set forth in the United States Pharmacopoeia and of that declared on its label; the phenobarbital and atropine sulfate tablets contained no phenobarbital and no atropine sulfate, but did contain 1/33 grain of strychnine sulfate; and the Vitaphosphates contained approximately only one-eighth the amount of vitamin B_1 declared on the label.

On December 4, 1940, the United States attorney for the Eastern District of Pennsylvania filed an information against Physicians Drug & Supply Co., a corporation at Philadelphia, Pa., alleging shipment on or about April 16 and 30, 1940, from the State of Pennsylvania into the State of New Jersey, of quantities of the above-named drugs that were adulterated and misbranded.

The ammoniated mercury ointment was alleged to be adulterated in that it purported to be a drug the name of which is recognized in the United States Pharmacopoeia, 11th Revision, but its strength differed from the standard set forth in such compendium in that it contained ammoniated mercury corresponding to not more than 3.22 percent of mercury; whereas the pharmacopoeia provides that ammoniated mercury ointment shall contain ammoniated mercury corresponding to not less than 7.1 percent of mercury, and the respect in which its strength differed from such standard was not stated plainly on the label. It was alleged to be misbranded in that the statement "Ammoniated Mercury Ointment Five (5%) Per Cent," borne on the jar label, was false and misleading since it did not contain 5 percent of ammoniated mercury but did contain a smaller amount, namely, not more than 4.1 percent of ammoniated mercury.

The phenobarbital and atropine sulfate tablets were alleged to be adulterated in that their strength differed from and their purity or quality fell below that which they purported or were represented to possess, since each of said tablets was represented to contain 1/4 grain of phenobarbital and 1/300 grain of atropine sulfate, whereas they contained no phenobarbital and no atropine sulfate but did contain approximately 1/33 grain of strychnine sulfate. They were alleged to be adulterated further in that tablets each containing approximately 1/33 grain of strychnine sulfate had been substituted in whole or in part for tablets each containing 1/4 grain of phenobarbital and 1/300 grain of atropine sulfate, which they purported to be. They were alleged to be misbranded in that the statement, "Each Tablet Contains: Phenobarbital Gr. 1/4 * * * Atropine Sulphate Gr. 1/300," borne on the bottle label, was false and misleading since the said tablets contained no phenobarbital and no atropine sulfate but did contain approximately 1/33 grain of strychnine sulfate. They were alleged to be misbranded further in that tablets each containing approximately 1/33 grain of strychnine sulfate had been offered for sale under the name of another drug.

The drug Vitaphosphates was alleged to be adulterated in that its strength differed from or its quality or purity fell below that which it purported or was represented to possess, in that each fluid ounce was represented to contain 400 U. S. P. units of vitamin B_1; whereas each fluid ounce contained less than 400 U. S. P. units, namely, not more than 50 U. S. P. units, of vitamin B_1. It was alleged to be misbranded in that the statement "Each Fluid Ounce Contains: Vitamin B_1 400 units," borne on the bottle label, was false and misleading

since each fluid ounce did not contain 400 U. S. P. units of vitamin B_1 but did contain a smaller amount.

On February 28, 1941, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of $500.

463. Adulteration of chloroform. U. S. v. 795 Bottles and 972 Bottles of Chloroform. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a hospital to be used for technical purposes. (F. D. C. Nos. 5174, 5180. Sample Nos. 47480–E, 50848–E.)

This product differed from the pharmacopoeial standards because of the presence of carbonizable substances in both lots and of chlorinated decomposition products in one.

On July 19 and 22, 1941, the United States attorneys for the District of Maryland and the Northern District of Illinois filed libels against 972 bottles of chloroform at Perry Point, Md., and 795 bottles of chloroform at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 27, 1941, by the City Chemical Corporation from New York, N. Y., and Jersey City, N. J.; and charging that it was adulterated and misbranded. It was labeled in part: "Chloroform USP XI (Not for Anesthesia)."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia and its strength differed from and its quality and purity fell below the standard set forth in that compendium since it contained carbonizable substances and in one lot chlorinated decomposition products. It was alleged to be misbranded in that the statement "Chloroform USP XI," borne on the label, was false and misleading.

On September 20 and October 15, 1941, no claimant having appeared, judgments of condemnation were entered and the goods seized at Chicago were ordered destroyed and those seized at Perry Point were ordered delivered to a hospital. The latter lot was relabeled by obliterating the term "U. S. P." and stamping on the label the words, "For technical uses only."

464. Adulteration of powdered extract of digitalis. U. S. v. 1 Can of Powdered Extract of Digitalis. Default decree of condemnation and destruction. (F. D. C. No. 3742. Sample No. 25065–E.)

This product possessed a potency of not more than 1.3 U. S. P. digitalis units per 0.1 gram; whereas the National Formulary provides that it should possess a potency of not less than 2.75 U. S. P. digitalis units per 0.1 gram. Moreover, it was invoiced as "P. E. Digitalis 1–4," which meant that each gram should possess an activity of not less than 4 U. S. P. digitalis units.

On January 31, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 1 can of powdered extract of digitalis at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 2, 1940, by J. L. Hopkins & Co. from New York, N. Y.; and charging that it was adulterated. It was labeled in part: "Powdered Extract Not Biologically Tested Defatted Digitalis * * * Not N. F."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the National Formulary, an official compendium, but its strength differed from the standard set forth in such compendium and its difference in strength from such standard was not stated on its label. It was alleged to be adulterated further in that a substance, namely, a preparation of digitalis possessing a potency of not more than 1.3 U. S. P. digitalis units per 0.1 gram had been substituted therefor.

On March 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

465. Adulteration and misbranding of powdered extract digitalis leaves. U. S. v. 1 Can of Powdered Extract Digitalis Leaves. Consent decree of condemnation and destruction. (F. D. C. No. 2156. Sample Nos. 3014–E, 3060–E.)

This product possessed a potency of 1.6 U. S. P. digitalis units per 0.1 gram, whereas the National Formulary requires that extract of digitalis possess a potency of not less than 2.75 U. S. P. digitalis units per 0.1 gram.

On June 4, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against one can of powdered extract digitalis leaves at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about September 27, 1939, by S. B. Penick & Co. from Jersey City, N. J.; and charging that it was adulterated and misbranded.